SOURCE SELECTION STATEMENT

INSTALL SCOUR PROTECTION – VARIOUS BRIDGES

AT

Kennedy Space Center, Florida

SOLICITATION NUMBER: NNK10321100R

A. DESCRIPTION OF ACQUISITION:

- 1. This acquisition is to Install Scour Protection Various Bridges at Kennedy Space Center, FL. This project provides for filling indicated portions of the channel bottoms, complete underwater installation of the scour prevention barrier (marine mattress or rubble as indicated in the drawings), protection/monitoring/observing wildlife during construction, providing a designated manatee observer, notifying indicated agencies of work within the waterway, and all other work necessary to complete the installation of the scour prevention mat. The scope includes installation of the cable and associated cable tray, conduits, and fabricated structural supports and replacement of timber wales along the fender system due to cable installation.
- 2. A synopsis was published in NASA Internet Acquisition Service (NAIS) and the Federal Business Opportunities on January 29, 2010. The solicitation was issued on February 12, 2010. Three (3) amendments were issued (Amendment 01, February 16, 2010, Amendment 02 February 22, 2010 and Amendment 03, March 04, 2010. Past Performance Questionnaires were received no later than March 09, 2010 and the proposals were received on March 16, 2010.
- 3. The solicitation was issued as a Price Performance Trade-Off (PPTO) RFP.
- 4. Four (4) proposals were received.
- 5. The Source Evaluation Board (SEB) consisted of Dan Hull (TA-B3), Dave Shreve (OP-CS-A) and Jeff Bobersky (SA-E2). The Source Selection Authority (SSA) is Sherry L. Gasaway.

B. EVALUATION PROCEDURES:

- (a) For the purposes of award, offers were evaluated based on the following factors:
 - 1. Price
 - 2. Relevant Experience and Past Performance (REPP)

For the purpose of selection, Price and REPP were considered essentially equal in importance to the Government and may be traded off, one against the other, to select the proposal representing the overall best value to the Government

(b) Introduction: This is a best value, single award acquisition. The Government awarded one contract to the offeror deemed responsible in accordance with the Federal Acquisition Regulation (FAR), whose proposal conformed to the RFP's requirements and was judged to represent the overall best value to the Government. The best value is the most advantageous offer, price and other factors

considered consistent with the Government's stated importance of evaluation factors. To arrive at a best value decision, the contracting officer integrated the evaluation of Price and REPP. This may have resulted in an award being made to a higher-rated, higher-priced offeror where the Source Selection Authority (SSA) determined that the REPP of the higher-priced offeror outweighed the price difference. While the Government and the Contracting Officer strived for maximum objectivity, the evaluation process, by its nature, was subjective and therefore, professional judgment was implicit throughout the entire evaluation process.

(c) In accordance with the Instructions to Offerors – Competitive Acquisition provision of this solicitation (FAR 52.215-1). The Government evaluated proposals and awarded a contract without discussions with offerors (except clarifications as described in FAR 15.306(a)). The Government reserved the right to conduct discussions if the Contracting Officer later determined them to be necessary. Only one award was made as a result of this solicitation. Award was made to the offeror who was deemed to be responsible in accordance with the Federal Acquisition Regulation (FAR), whose proposal conformed to the solicitation requirements and whose proposal offered the best value.

The Government reserved the right to reject any or all offers if such action was in the Government's best interests.

(d) Evaluation factors and Selection of the Successful Offeror:

- (1) The Contracting Officer utilized a Price Performance Trade-Off (PPTO) technique to make a best value award decision. Evaluation and selection for contract award was based on two factors: (i) Price and (ii) Relevant Experience and Past Performance (REPP). For purposes of selection, Price and REPP were considered essentially equal in importance to the Government and may have been traded off, one against the other, to select the proposal representing the overall best value to the Government.
- In assessing past performance, the Government assessed the information provided in offerors' relevant experience/past performance volumes and the completed past performance questionnaires submitted by the offerors' Contracting Officers or customer contact equivalents identified in its Relevant Experience/ Past Performance Information Summary. The Government considered this information, as well as information obtained from other sources (to include interviews with previous customers), when evaluating offerors' relevant experience/past performance. The recency and relevance of the information, source of the information, context of the data, and general trends in contractor's performance were considered. The evaluation took into account past performance information regarding predecessor companies, key personnel having relevant experience, and/or subcontractors performing major or critical aspects of the requirement when such information was relevant to the acquisition. During the course of the evaluation, the Government did not obtain adverse information to which the offeror(s) had not previously had an opportunity to respond. If adverse comments would have been received, the Government would have afforded the offeror an opportunity to clarify the adverse information. This assessment of past performance information was separate from the contractor responsibility determination required under FAR Subpart 9.1.

(e) The following describes the general methodology that was used for proposal evaluation:

(1) General Review:

Offerors were checked against the List of Parties Excluded From Federal Procurement and Non-procurement Programs. None of the Offerors appeared on the List. Proposals were also checked for minor informalities or irregularities. The Contracting Officer followed guidance at FAR 15.306 for resolving minor informalities or irregularities.

(2) Price Evaluation:

The proposed prices were evaluated for price reasonableness and realism to ascertain if the proposed prices were realistic for the work to be performed and reflected an understanding of the work requirements. The proposed prices were evaluated by comparison against the Government estimate and prices submitted by other offerors.

- (3) Relevant Experience and Past Performance (REPP) Evaluation:
 - (i) The Government evaluated the contractors' relevant experience and past performance on recent efforts similar to the Government's requirements.
 - **A. RECENCY:** An assessment of the past performance information was made to determine if it was recent. For purposes of this source selection, recent past performance was defined as contracts performed within three (3) years of the date of the issuance of this solicitation.
 - **B. RELEVANCY:** A relevancy determination of the offeror's present and past performance, including joint venture partners and/or major subcontractors was made. In determining relevancy consideration was given to the effort, or portion of the effort being proposed by the offeror, joint venture partner, or subcontractor being reviewed and evaluated. The Government was not bound by the offeror's opinion of relevancy. The Present/Past Performance Information provided by the offerors and data obtained from other sources were considered in establishing the relevance of present and past efforts. The offeror's Relevant Experience was assessed based upon the similarity of the offeror's past and/or current work to the work to be accomplished under this contract. Relevancy was defined as the offeror's past or current experience in performing and managing marine construction, barge based crane operations, and placement of materials underwater. Recent experience with construction in the inter-coastal waterway was considered **more relevant** than experience elsewhere. Recent experience with marine mattress placement was more relevant than all of the relevant criteria listed above. As deemed necessary, the Government confirmed past and present performance data identified by offerors in their proposals. The Government considered as relevant efforts performed for other agencies of the federal, state or local governments and commercial customers.

(ii) The government evaluated the offeror's past performance in:

- A. The contractor's ability to provide prompt payment of employees, subcontractors, and suppliers for services and supplies performed/delivered under the contract.
- B. The contractor's compliance with Davis-Bacon Act and other labor requirements and resolution of reported violations/discrepancies.

- C. The contractor's compliance with contract subcontracting plan goals for small disadvantaged business concerns (see FAR 19.7), monetary targets for SDB participation(see FAR 19.1202), and notifications submitted under FAR 19.1202-4(b) (Applicable only to offerors who are large businesses).
- D. The effectiveness of the contractor's overall project management ability (including but not limited to project managers, quality control managers, safety managers, and superintendents); labor (skilled and unskilled workers); vehicles; equipment; supplies; tools; and financial resources to successfully perform, provide contract deliverables and complete demolition work in a safe and timely manner
- E. The contractor's ability to provide immediate and effective contractor management attention at the job site for resolution of contract problems
- F. The contractor's ability to perform and manage marine construction, barge based crane operations, and placement of materials underwater.

(iii) The government evaluated the offeror's safety past performance in:

- A. Maintaining acceptable Days Away Restricted or Transferred (DART), Total Case Incident Rate (TCIR), and Experience Modification Rating (EMR) rates for the previous three years.
- B. Maintaining a safety and health program with visible management control and involvement.
- C. Maintaining a safety program ensuring subcontractors' safety performances was consistent with the prime contractor's safety program.
- D. Ability to analyze worksite hazards prior to the start of work to ensure that all hazards were abated.
- E. Maintaining a safety program with emergency procedures for securing dangerous conditions and protecting personnel during contract performance.
- F. Ability to understand and comply with safety requirements.
- G. Maintaining a safety program that ensured the customer's critical resources were adequately protected.
- H. Ability to resolve safety discrepancies in a timely and effective manner
- I. Ability to report, investigate, and take corrective actions on safety accidents/incidents in a timely and effective manner

(iv) Performance Confidence Assessment Rating:

The offeror's evaluated relevant experience and past performance was reviewed and an assessment made that reflected the Government's judgment of the probability of each offeror successfully accomplishing the proposed effort based on that offeror's demonstrated performance. Each offeror was then assigned **one of the Performance Confidence Assessment Ratings** shown below. The Performance Confidence Assessment Ratings represented the Government's judgment of the probability of an offeror successfully accomplishing the proposed effort based on that offeror's demonstrated performance.

Е	V	S	M	U	N
Exceptional/	Very Good/	Satisfactory	Marginal/	Unsatisfactory	Neutral/
High	Significant	/Confidence	Little	/No Confidence	Unknown
Confidence	Confidence		Confidence		Confidence
Based on the	Based on the	Based on the	Based on the	Based on the	Those offerors
offeror's	offeror's	offeror's	offeror's	offeror's	that do not have
demonstrated	demonstrated	demonstrated	demonstrated	demonstrated	an identifiable
performance,	performance,	performance,	performance,	performance,	performance
essentially no	little doubt	some doubt	substantial	extreme doubt	record (see
doubt exists	exists that the	exists that the	doubt exists	exists that the	FAR
that the offeror	offeror will	offeror will	that the	offeror will	15.305(a)(2)(iii)
will	successfully	successfully	offeror will	successfully	and (iv), will be
successfully	perform the	perform the	successfully	perform the	assigned a
perform the	required	required effort.	perform the	required effort.	NEUTRAL
required effort	effort.		required		rating.
			effort.		
			Changes to		
			the offeror's		
			existing		
			processes		
			may be		
			necessary in		
			order to		
			achieve		
			contract		
			requirements.		

(v) Source Selection

The application of the PPTO technique to determine contract award and for use in the selection process for the determination of a proposal which offers the best value to the Government was as follows:

- A. All offers were ranked by evaluated price in accordance with FAR 15.404-1.
- B. All offerors received a performance confidence assessment rating of exceptional/high confidence, very good/significant confidence, satisfactory/confidence, , marginal/little confidence, unsatisfactory/no confidence or neutral.

- C. The offeror with the lowest evaluated price received a performance confidence assessment rating of very good/significant confidence and there were no proposals with a performance confidence assessment rating of exceptional/high confidence. Per Section M.1(c)(3)(v)D of the solicitation, the low offeror's proposal was automatically deemed to represent the best value for this acquisition, and award was made to that offeror, subject to a positive responsibility determination in accordance with FAR Part 9.
- **f. General Considerations**: The government evaluated the following to ensure compliance with FAR requirements. Any such evaluation was not used for determining relative merit among the proposals and was not used as a rating factor.

<u>Contractor Responsibility:</u> In accordance with FAR 9.104, the contracting officer made a determination of responsibility of the prospective contractor.

<u>Subcontracting Plan</u>: The apparent successful offeror on this acquisition is a large business and submitted an acceptable subcontracting plan as required in Section M.1, for award eligibility.

SOURCE EVALUATION BOARD (SEB) FINDINGS:

The pricing of the proposals were evaluated in accordance with Section M of the solicitation. For the purpose of this award, offers will be evaluated and award made to the offeror, who provides the best value to the Government. More than one responsible offeror submitted a priced offer and in accordance with FAR 15.403-1, adequate price competition was obtained. A comparison of the Government estimate and prices submitted by other offerors was conducted. Comparison of the Government estimate and the three responsive proposals are as follows:

The Total Government Estimate is \$4,481,450.00. Offeror #1 proposal represents an amount of 6.74% lower than the Government Estimate,

The offeror #1 provided verification to their proposed Contract Line Items and Extended Total Amount.

An evaluation was performed on each contractor's past performance that was submitted as required by the solicitation. The SSET performed the evaluation in accordance with Section M of the solicitation. All offers were ranked by evaluated price in accordance with FAR 15.404-1 and the performance confidence assessment ratings for the proposals are as follows:

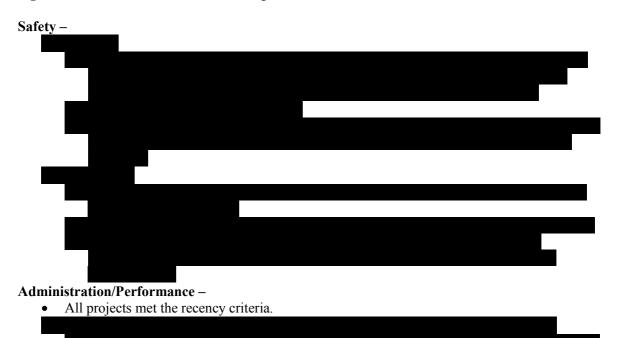
Rank/Offeror:

- 1. Misener Marine Construction, Inc
- 2. Shoreline Foundation, Inc
- 3. Casper Colisomo & Sons, Inc
- 4. Lucas Marine Construction, Inc

Total Bid Amount \$4,179,349.00 Confidence Rating Very Good

Offeror #1:

Based on the project information provided and Past Performance evaluations, little doubt exists as to the contractor's ability to perform the work required by the solicitation, resulting in a "Very Good/Significant Confidence" assessment rating.





Additional Reviews:

- Misener Marine Construction, Inc is not listed in EPLS (List of Parties Excluded From Federal Procurement and Non-procurement Programs)
- PPIRS (Past Performance Information Retrieval System): No additional information is available

Offeror #2:

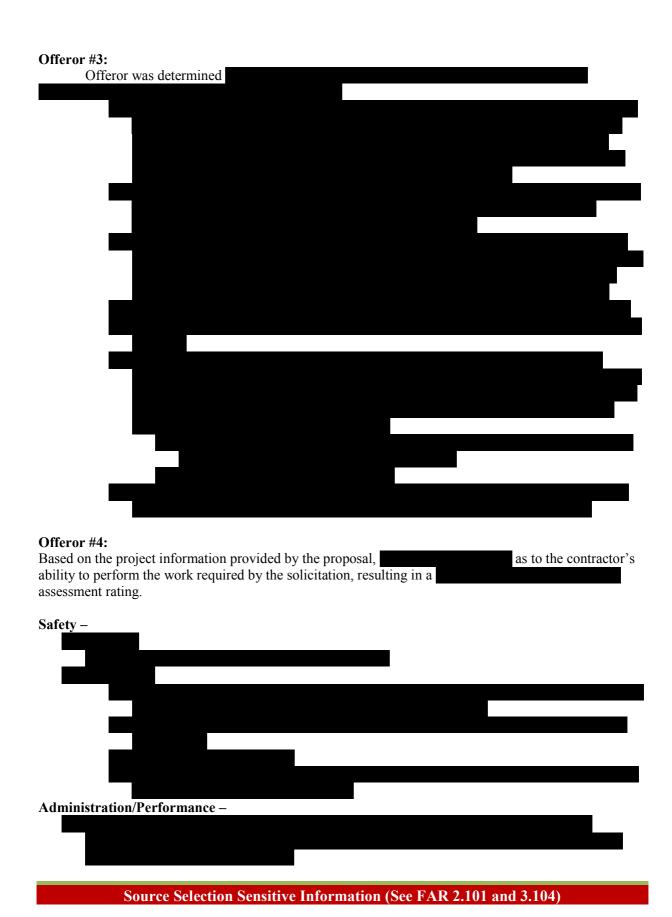
Based on the project information provided and Past Performance evaluations, the contractor's ability to perform the work required by the solicitation, resulting in assessment rating.



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Additional Reviews:

- Shoreline Foundation, Inc is not listed in EPLS (List of Parties Excluded From Federal Procurement and Non-procurement Programs)
- PPIRS (Past Performance Information Retrieval System): No additional information is available



Additional Reviews:

- Lucas Marine Construction, Inc is not listed in EPLS (List of Parties Excluded From Federal Procurement and Non-procurement Programs)
- PPIRS (Past Performance Information Retrieval System): No additional information is available

SOURCE SELECTION DECISION

- 1. As the Source Selection Authority (SSA) for this acquisition, I have determined the proposal submitted by Misener Marine Construction, Inc. provides the best overall value to satisfy Kennedy Space Center's requirement. This decision is based upon the criteria established in Section M of the solicitation, an assessment of the proposals submitted in response to the solicitation, the terms and conditions and the capability (i.e., Past Performance Confidence Assessment, and Cost/Price) of Misener Marine Construction, Inc. to fulfill the subject requirement.
- 2. Based on the responses received plus other sources of information obtained and documented in the file, the lowest priced offeror is found deserving of a "Very Good/Significant Confidence" assessment rating. One additional offeror also received a "very good/significant confidence" assessment rating; however, their price is higher and no reason is apparent to exercise the tradeoff procedure on this proposal evaluation. This decision is based on the criteria established in the solicitation provisions of the request for proposal, the past performance confidence assessment of the proposal submitted in response to the RFP, and the price of \$4,179,349.00.

Shung & Gasaway Source Selection Authority SHERRY L. GASAWAY March 31, 2010